

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2351 - SB 2844

February 23, 2022

SUMMARY OF BILL: States that if a pharmacy shares a maximum allowable cost (MAC) list with a pharmacy services administrative organization (PSAOs) or similar entity, then that PSAO or similar entity is required to destroy the shared information within five business days of the receipt of a written request from the pharmacy.

FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Pursuant to Tenn. Code Ann. § 56-7-3111, a pharmacy shall not disclose to any third party the MAC lists and any related information it receives from a pharmacy benefits manager or covered entity; provided, however, a pharmacy may share such lists and related information with a PSAO or similar entity with which the pharmacy has a contract to provide administrative services for that pharmacy. If a pharmacy shares this information with a PSAO or similar entity, that organization or entity shall not disclose the information to any third party.
- The proposed legislation requires PSAO or similar entities to destroy shared information within five business days when requested. It does not mandate that information be shared or that a pharmacy provide a written request to destroy MAC lists. These restrictions do not place any additional strain on pharmacies, PSAOs, or similar entities and can therefore be implemented without any significant fiscal impact.

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- The provisions of the proposed legislation will not result in any significant impact to jobs or commerce in Tennessee.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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